

Notice of Allowability	Application No.	Applicant(s)	
	10/613,562	ANDERSON, DUWAYNE R.	
	Examiner	Art Unit	
	Juan D. Valentin II	2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After-Final Amendment 05/20/2005.
2. ☒ The allowed claim(s) is/are 12 and 13.
3. ☒ The drawings filed on 02 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>6/1/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Francis I. Gray (Reg. No. 27,788) on May 26, 2005.

The application has been amended as follows:

- Claim 12 has been replaced with the following:

Claim 12. A method of adjusting a fiber pigtailed assembly for coupling light along an optical axis from a beveled end of an optical fiber to an optical detector having a detector surface tilted and rotated with respect to the beveled end to produce low back reflectance and minimum polarization-dependent responsivity comprising the steps of:

providing a source of light having a plurality of polarization states to the optical fiber wherein the light from the optical fiber directly impinges onto the detector surface;

adjusting a rotation angle about the optical axis between the beveled end of the optical fiber and the detector surface of the optical detector adjacent the beveled end while observing an electrical output from the optical detector for a minimum peak-to-peak value indicative of low back reflectance and minimum polarization-dependent responsivity.

Allowable Subject Matter

2. Claims 12 & 13 are allowed over prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 12, the prior art fails to disclose or make obvious “providing a source of light having a plurality of polarization states to the optical fiber wherein the light from the optical fiber directly impinges onto the detector surface” and in combination with the other recited limitations of claim 12. Claim 13 is allowed by virtue of dependency on the allowed claim 12.

The prior art relied upon in the final rejection Jiang in view of He discloses tilting a detector surface with respect to the beveled end of an optical fiber, and further teaches rotating a fiber and/or detector surface about an optical axis (He, Fig. 7, [0083]), but does so by coupling light from the fiber through a lens and then onto the detector surface, therefore not reading on applicant’s claimed limitation “wherein the light from the optical fiber directly impinges onto the detector surface”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan D. Valentin II whose telephone number is (571) 272-2433.

The examiner can normally be reached on Mon.-Fri..


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Juan D Valentin II
Examiner 2877
JDV
May 27, 2005


ZANDRA V. SMITH
PRIMARY EXAMINER